

WILTON LAND USE LAWS AND REGULATIONS
ZONING ORDINANCE

7A.0 *DOWNTOWN COMMERCIAL DISTRICT*****

The purpose of this district is to concentrate development, allow and encourage a vibrant mix of land uses, encourage infill development, preserve the historic character of the downtown, and provide a pedestrian-friendly environment.

7A.1 *Downtown Commercial District Location.*****

The Downtown Commercial District encompasses the following areas within the Town of Wilton:

- a. The area in the western section of downtown Wilton located north and south of Forest Road as delineated on the Town of Wilton Tax Map J encompassing lots 79, 90, 90-1A, 90-1B, 91, 99, 100 and 101.
- b. The area in Downtown Wilton north and south of Main Street as delineated on the Town of Wilton Tax Map J encompassing lots 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 60-1, 61, 62, 63, 64; and Tax Map K encompassing lots 63, 64, 64-1, 65, 85, 103, 104, 170, 171, 172, 173, portions of lot 66 south of a line drawn between the southeast corner of 67 and the northwest corner of 76, and portions of 166 west of a line drawn between due south from the southeast corner of 103 to the river.

7A.1.1 *Main Street Overlay District Location.***** The Main Street Overlay District encompasses the following areas within the Town of Wilton, which are subject to all provisions in the Downtown Commercial District, except where noted otherwise:

- a. The area in Downtown Wilton north and south of Main Street from the intersection of Forest Road to the intersection of Park and Howard Streets as delineated on the Town of Wilton Tax Map J encompassing lots 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 60-1, 61, 62, 63, 64; and Tax Map K encompassing lot 173.

7A.2 *General Provisions.*****

A building or structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes in accordance with the following provisions.

7A.3 *Permitted Uses.*****

The following uses shall be permitted in the Downtown Commercial District:

7A.3.1 *Residential Uses.*****

- a. Any use permitted in the Residential District (except where prohibited under Sec. 7A.6.b), under the same provisions as apply to the use in that district, except that the lot dimensional requirements shall be as specified in this section.

7A.3.2 *Commercial Uses.*****

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- a. Bed and breakfasts, including such retail businesses within these permitted buildings as are conducted for the convenience of the residents or guests;
- b. Retail Services: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, including retail stores, restaurants, taverns and banks. Also, establishments primarily engaged in providing services involving the care of a person or his or her apparel (such as barbershops and beauty salons, spas, tailors and dry cleaners);
- c. Parking garages and parking lots;
- d. Business and professional offices;
- e. Community buildings, social halls, clubs, lodges, fraternal organizations, theaters, recreation facilities, and amusement centers;
- f. Greenhouses and florist shops: An establishment where retail and wholesale garden products and produce are sold to the consumer. The establishment imports most of the items sold, but may include a nursery and/or greenhouse, and may include plants, nursery products and stock, potting soil, hardware, other garden and farm variety tools and outdoor furniture;
- g. Houses of worship including, but not limited to, churches, synagogues, parish houses, mosques, convents, and other accessory uses;
- ~~h. Hospitals, emergency medical centers and clinics;~~
- i. Preschools, and daycare centers, including in-home childcare;
- j. Medical offices, which provide health services to people on an outpatient basis including doctors, dentists, physical therapists, massage therapist and chiropractors
- k. Veterinary clinics which may include facilities for overnight boarding or caring of animals provided that any such facility shall be designed, constructed and operated in such a manner so as not to be a nuisance to adjacent uses by way of noise or odor;
- l. Libraries, museums;
- m. Adult day care facilities: Any person, corporation, partnership, voluntary association, or other organization, either established for profit or otherwise, which provides for the daily care and supervision of an adult person away from the person's home and which requires licensing by the State of NH; and
- n. Nanobreweries as defined in NH RSA 178:12-a, Brewpubs as defined in NH RSA 178:13, Wine retail outlets and tasting rooms pursuant to NH RSA 178:8, and Liquor manufacturers pursuant to NH RSA 178:6;

7A.3.3 Industrial Uses.

- a. Light Manufacturing: Includes all manufacturing and assembly, packaging, finishing or treating of products carried on completely within a structure, and involving no ~~permanent~~

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outside storage of equipment or materials. Light Industry shall not be interpreted to include any industry, the operations of which would cause danger of fire or explosion or which shall result in significant objectionable vibration, noise, smoke, fumes, odor, dust, gas fumes, chemicals, radiation or other waste materials which would constitute a nuisance, nor which would adversely affect other private or public properties;

7A.3.4 Mixed Uses.

- a. Mixed Uses: The development of a tract of land or building or structure with two or more different permitted uses such as but not limited to residential, office, retail, public, or entertainment, ~~in a compact urban form~~. Individual uses within a mixed use property must conform to any requirement within their particular class of use.

7A.4 Site Plan Review Required.

Any change or expansion in use in an existing structure or any new construction in this district must have prior approval from the Planning Board under the Site Plan Review regulations, with the following exceptions:

7A.4.1 Residential Uses. Site Plan Review is not required for single family dwellings or for two-family dwellings permitted by Section 5.5 of this ordinance.

7A.4.2 Change to a Permitted Commercial Use. Site Plan Review is not required for a change from any use to a commercial use listed in section 7A.3.2, provided that there is an existing approved site plan for the property and the change does not result in any exterior changes on the property.

7A.5 Lot Requirements.

7A.5.1 Frontage. Frontage shall be as follows:

- a. Twenty-five (25) feet.

7A.5.2 Setbacks. Setbacks shall be as follows:

- a. Front setback – twenty-five (25) feet;
- b. Side setback – fifteen (15) feet;
- c. Rear setback – fifteen (15) feet;
- d. Setbacks on lots located within the Main Street Overlay District - at a depth to conform with existing neighboring buildings;
- e. No buildings or parking areas are permitted in the front setback or in any setback which abuts a residentially or residential/ agriculturally zoned parcel;

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- f. Parking areas are permitted up to within ten (10) feet of the side or rear lot line of a commercially zoned parcel where it abuts another commercially or industrially zoned parcel; and
- g. Parking areas shared between two adjacent commercially or industrially zoned parcels may be developed up to the common side or rear lot-line if all other conditions of the district are met.

7A.5.3 Percentage of Lot Coverage. There is no maximum building coverage (subject to any setback requirements), except that the site must be designed to dispose of all runoff and drainage without impacting other properties.

7A.5.4 Access. Access to lots within the downtown commercial district shall be as follows:

- a. Access to any Town road or State highway shall require Town or State permit approval.

7A.5.5 Parking. Parking requirements shall be as follows:

- a. All non-residential uses listed in sections 7A.3.2, 7A.3.3, and 7A.3.4 are exempt from the provision of off-street parking facilities standards established in the Site Plan Review Regulations; and
- b. Any residential use listed in section 7A.3.1 is required to have on-site or fee ownership parking with at least one parking space per bedroom.

7A.6 **Prohibited Uses.**

- a. Filling Stations and Automotive Service Stations;
- b. Residential uses on the ground floor fronting Main Street for lots located within the Main Street Overlay District;
- c. Schools and kindergartens;
- d. Funeral homes;
- e. ~~Wholesale establishments in connection with permitted retail establishments, warehousing or merchandise for retail sale within the District; and~~ Wholesaling and warehousing on the ground floor fronting Main Street for lots located in the Main Street Overlay District; and
- f. Inns, tourist courts, and cabins.